

Employment Taxes

"Whether an individual is engaged in a 'trade or business' is dependent upon all the facts and circumstances in the particular case. As a general rule, a person who is engaged in an occupation or profession for profit and who is not regarded as an employee for purposes of the Federal Insurance Contributions Act taxes is engaged in a 'trade or business.' "

(Internal Revenue Service; Rev. Rul. 55-49, January 31, 1955.)

23 LW 2391 - 2-8-55